



LEGISLATIVE ALERT

▶ Counties / Probation **OPPOSE** DJJ Realignment ◀

August 30, 2020

TO: All Members of the Legislature

FROM: Graham Knaus, Executive Director, California State Association of Counties (CSAC)

Karen Pank, Executive Director, Chief Probation Officers of California (CPOC)

Elizabeth Espinosa, Legislative Advocate, Urban Counties of California (UCC)

Paul A. Smith, Senior Vice President of Governmental Affairs, Rural Counties
Representatives of California (RCRC)

Michelle Cabrera, Executive Director, County Behavioral Health Directors Association of
California (CBHDA)

**RE: Senate Bill 823 (Committee on Budget and Fiscal Review) / Assembly Bill 1868 (Budget
Committee) DJJ Realignment - OPPOSE**

For decades, the State has struggled mightily to find the appropriate policy solutions and system responses for its portion of responsibility on the juvenile justice service continuum. This year, yet another proposal to close the Division of Juvenile Justice and shift this critical service responsibility to counties was unveiled late in a year otherwise marred by a global pandemic, a resulting economic crisis, and lengthy, unplanned delays in the normal legislative and budget process. Counties raised the alarm in May that – given the sensitive nature of the youths’ needs, the complex jurisdictional issues associated with the proposed realignment, and the absolute necessity of building an operational and funding framework to appropriately catalyze local innovation – there simply was not enough time to resolve the myriad issues.

Today, in the final hours of the Legislative Session, county governments and our probation departments are being required to accept a sensitive and vital responsibility – one that shapes the future paths of youth in our juvenile justice system – in a form that is unworkable, does not reflect county or probation input on critical aspects, and cannot assure delivery of improved outcomes for the young people we are being asked to serve. The State is attempting to reduce costs and transfer liability by shifting the remainder of the entire juvenile justice system

responsibility to county governments without giving us the necessary authority and flexibility to respond to local conditions. **CSAC, CPOC, UCC, RCRC and CBHDA unequivocally oppose the DJJ Realignment structure the Legislature is proposing to send to the Governor for his signature in SB 823/AB 1868.**

While we only have had the benefit of evaluating the final framework for a matter of hours, we highlight the principal components of the measure that underlie our opposition, including:

- Establishment of a new, untested state bureaucracy with overly expansive authority, including the power to exert broad control over existing local programs despite the historic success of these programs in diverting youth out of detention;
- Expectation of considerable and costly local data collection and reporting requirements that span the entire juvenile justice system, which – while offering benefits – will impose a large state mandate;
- Inference that counties cannot be fully trusted with this responsibility, while the state appears eager to offload to counties a very challenging, costly, and sensitive service responsibility on the juvenile justice service continuum;
- Transfer of existing, critical funding streams under the purview of a new layer of state bureaucracy with the intent of disrupting the fund flow for long-standing, successful programs that represent foundational support for our core local services.
- Creation of multiple processes and bureaucracy to define and plan for realignment that will hamper rather than promote innovation, most likely delaying implementation efforts and diverting critical funding away from direct services to youth.
- Mere intent language to protect against an increase in adult court commitments, rather than a thoughtful or complete process.
- A July 1, 2021, DJJ intake closure date that, under this proposal, does not provide counties and probation departments with sufficient time to prepare local programs and facilities for the population being shifted to local government.

The state consistently relies on counties for extensive partnership in the delivery of programs for our mutual constituents. We are routinely asked to help solve complex societal problems and drive innovation in delivering services to the most vulnerable in our communities. The DJJ realignment approach in SB 823/AB 1868 lacks any reflection of this long-standing approach.

The proposal to close DJJ facilities and realign the responsibility to counties as contemplated in SB 823/AB 1868 is unacceptable. The State cannot expect local practitioners to fulfill this responsibility without taking into account our needs and expertise – an expertise that counties have demonstrated successfully among the nearly 90 percent of the youth (all but those with most serious and complex treatment needs) currently being rehabilitated under counties' care.

For these reasons, CSAC, CPOC, UCC, RCRC and CBHDA urge the Legislature to reject SB 823/AB 1868.

cc: Ana Matasantos, Cabinet Secretary, Office of Governor Gavin Newsom
Keely Bosler, Director of Finance
Christopher Woods, Budget Director, Senate President pro Tempore Toni Atkins
Christopher A. Francis, Ph.D., Senate Budget and Fiscal Review Committee
Matt Osterli, Senate Republican Fiscal
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